

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

JAMIE MARSHALL MACK,)	
)	
Plaintiff,)	
)	
vs.)	No. CIV-21-867-C
)	
GINA HUTCHISON, et al.,)	
)	
Defendants.)	

ORDER

Plaintiff filed the present action pursuant to 42 U.S.C. § 1983. Pursuant to the provisions of 28 U.S.C. § 636 the case was referred to Magistrate Judge Suzanne Mitchell. On September 24, 2021, Judge Mitchell issued a Report and Recommendation (“R&R”) (Dkt. No. 10) recommending Plaintiff’s request to proceed in forma pauperis be denied. Due to Plaintiff moving to different facilities his Objection to the R&R was not received until December 16, 2021. In that Objection, Plaintiff states that the money in his account is savings to be used for housing once he is released. While Plaintiff’s stated purpose for the funds in his saving is admirable, the Court’s role is to determine if Plaintiff has sufficient funds to pursue the present action. As Judge Mitchell correctly determined, Plaintiff has those funds. Accordingly, Plaintiff will be required to pay the full filing fee before this action may proceed.

Accordingly, the Court adopts, in its entirety, the Report and Recommendation of the Magistrate Judge (Dkt. No. 10). Plaintiff shall pay the filing fee of \$402.00 within 15 days of the date of this Order or this matter will be dismissed.

IT IS SO ORDERED this 21st day of December 2021.


ROBIN J. CAUTHRON
United States District Judge